IN THE HIGH COURT OF UTTARANCHAL
AT NAINITAL
ORIGINAL JURISDICTION

Dated: Nainital: the 6th day of October 2005

Bail application no. 964 **of 2005**

Order on the bail application of accused

CRIMINAL SIDE

1. Bishan Ram S/o Trilok Ram
   R/o Village Chil Patwari Kshetra
   Kotmaharbind Tashil Bhanoli
   District Almora Uttaranchal
2. Ganga Ram S/o Bachi Ram
   R/o Village Chil Patwari Kshetra
   Kotmaharbind Tashil Bhanoli
   District Almora Uttaranchal ….. Applicants

Versus

State of Uttaranchal ……Opposite Party

Arising out of Case Crime No.2 of 2005
Under Sections 363, 366-A, 376, 506 of I.P.C.
Patwari Kshetra Kotmoharbind
District Almora

By the court

Hon'ble B.C. Kandpal, J.

The applicants have applied for bail in case crime No. 2 of 2005 under Sections 363, 366-A, 376, 506 I.P.C., Patwari Kshetra Kotmoharbind, District Almora.

Heard Sri K.S. Bora, learned counsel for the applicant, learned A.G.A. and perused the record.

The specific role of committing the rape upon the prosecutrix Km. Gita is against the co-accused, namely, Dharmendra Singh (non-applicant).

The applicants are in jail since 25.05.2005 and learned A.G.A. could not show any criminal history of the applicants before me. Co-accused Fire Ram has already been granted bail by this Court vide order dated 29.09.2005.

On the ground of parity, I think, it would be just and proper to release the applicant on bail at this stage.

Let the applicants Bishan Ram and Ganga Ram be released on bail on their executing a personal bond and furnishing two sureties each in the like amount to the satisfaction of Magistrate concerned.

(B.C. Kandpal, J.)

06.10.2005

ASWAL